



state senator Bob Jackman

2005 LEGISLATIVE UPDATE

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state senator Bob Jackman

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LEGISLATIVE

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Much Accomplished in 2005

A variety of issues didn't make big headlines, but they may make a big impact on Hoosiers

Many feel daylight-saving time and the expansion of the Indianapolis convention center and new stadium dominated the 2005 legislative session, but the General Assembly passed many initiatives that will be beneficial to citizens across Indiana. We addressed issues such as election reform, National Guard benefits, child protection laws, agriculture, and improving health care services. The following are just a few examples of this year's accomplishments:

Elections — We worked hard this session to give voters confidence that our elections will be fair, open and honest. A bill passed that tightens restrictions on obtaining an absentee ballot. The bill does not make registering to vote more difficult; it simply creates new safeguards to protect the rights of honest absentee voters. We also passed legislation that will require voters to show a picture ID issued by the state or federal government (such as a driver's license or state ID card). Without proof of identification, it is easy for fraudulent voters to use different names at different times on Election Day. Considering recent nationwide voting problems, and some within Indiana, this is a common-sense step to help prevent fraud.

National Guard Benefits — Our National Guard members are serving overseas in Bosnia, Kosovo, Afghanistan, Iraq and several other countries. Because of the huge sacrifice these men and women are making on our behalf, we passed a measure that exempts spouses and children of Guard members killed in the line of duty from paying tuition at any state educational institution. This bill was authored to

help support those dependents and spouses who endure financial difficulties after losing a loved one in active duty.

Child Protection — The General Assembly also passed legislation aimed at protecting Hoosier children. Two bills in particular will enhance the effectiveness of our sex offender and violent offender registry. The bills add the possession of child pornography to the 14 existing offenses and also allow neighborhood associations to receive the semi-annual updates of the list. We also created the Department of Child Services to handle child support, child protection, adoption and foster services. Our children are our most precious commodity, and should receive special attention from the state. This new department will focus only on children and their families.

Health Care — We passed a bill that creates a panel of experts to develop a medical information system for Indiana. A medical information system would connect physicians' offices, pharmacies, laboratories, imaging centers, hospitals and other medical facilities. If a person became ill in another part of the state, a physician with proper authorization could have immediate access to the person's medications, medical history and lab and X-ray reports. That patient then would receive better, more personalized care. The panel must create a plan that will maintain privacy.

This year's session has been an eventful one, full of activity. Although the session's end has come, my job as your senator is never finished and I am available year-round to assist you.

Fighting Meth

Methamphetamine production has become widespread in our state, and this year the legislature has proven its commitment to curbing this criminal activity.

In 2003, Indiana law enforcement seized 422 meth labs, a figure higher than any other Midwestern state, according to the Drug Enforcement Administration.

It is difficult to catch meth producers. All of the ingredients needed to manufacture meth can be purchased legally, and are relatively inexpensive. For example, an investment of \$1,000 in easily purchased ingredients can produce \$20,000 worth of meth.

This year, we passed a bill to regulate the sale and purchase of meth precursors in the hope of reducing production in Indiana. Senate Enrolled Act 444 includes a variety of measures designed to stop the production of meth by placing restrictions on the sale and purchase of drugs containing ephedrine or pseudoephedrine, commonly found in over-the-counter cold and allergy medicines.

Retailers must store such drugs in a locked display case or behind a counter that requires employee assistance. Pharmacies may place the drugs directly in front of the pharmacy counter in the line of sight of a pharmacy employee and in an area under constant video monitoring.

Customers purchasing these drugs must present identification and record their identifying information in a log book provided and maintained by the retailer.

The bill bars retailers from selling the drugs to individuals under age 18 and allows no more than 3 grams of drugs containing ephedrine or pseudoephedrine in any one transaction. It also prevents customers from purchasing more than 3 grams of such drugs in a single week.

Meth production has become a significant problem in Indiana. We have no choice but to fight back with every available weapon.

Rx FOR INDIANA

IMPROVING ACCESS TO PRESCRIPTION DRUGS

Governor Mitch Daniels has created "Rx for Indiana," a pharmaceutical patient assistance program which allows lower-income Hoosiers to receive the prescription drugs they need for free or at significantly reduced prices. Since the beginning of the program in early March, more than 37,000 Indiana residents have qualified for the program.

Nearly 60 health care, business, community and consumer groups have joined the governor to help improve Indiana citizens' access to prescription medicine. The Rx for Indiana program was developed to build upon the success of other national programs, as it links patients with information about pharmaceutical assistance programs provided by companies and the state and federal government.

Rx for Indiana provides residents access to information about more than 275 public and private prescription assistance programs that provide more than 1,800 medications. In order to take part in the program, Indiana residents must answer a few short questions to verify eligibility. The resident will then be informed of the pharmaceutical patient assistance programs for which he or she qualifies.

Rx for Indiana can save individuals thousands of dollars per year. Before the establishment of Rx for Indiana, only about one in 10 Hoosiers were taking advantage of the reduced cost medicines available. We hope that with the creation of this program, many more Hoosiers will be able to access the medications they need.

To apply for the Rx for Indiana program, visit www.rxforindiana.com or call toll-free 1-877-793-0765. The Web site is available in Spanish and English, and Spanish-speaking telephone operators are available.

Booster Seat Law Takes Effect Soon

Last year, the General Assembly passed House Enrolled Act 1098-2004, more commonly known as the Child Restraint Bill. This bill requires children under 8 years old to sit in child restraint systems that allow the vehicle's seatbelt to work properly. The new law goes into effect on July 1 of this year.

It is important that all parents, grandparents, aunts, uncles, babysitters, and others who transport children to be aware of this new law.

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Sen. Jackman prepares for a session day with his intern, Shane, and his student assistant, Claire.



In Defense of Marriage: SJR 7

Senate Joint Resolution 7 seeks to amend the constitution to prevent the courts from defining marriage.

The proposed amendment includes a section that bars courts from interpreting the constitution or any Indiana law as a mandate to grant marital status to unmarried couples or groups. The Indiana Constitution reads: "The Legislative authority of the State shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives." The public elects legislators to craft laws based on the wants and needs of citizens. This amendment reinforces that duty.



The court battle highlights the importance of beginning the lengthy process to amend the Indiana Constitution as soon as possible. This requires multiple steps. First, a legislator authors a resolution to put the proposed amendment on the ballot. If the resolution fails on the first try, it's back to the drawing board — an amendment must be approved by two separately elected, consecutive Indiana General Assemblies.

The first step in the amendment process has been completed. Both the Senate and House of Representatives have approved the resolution for the first time. Therefore, it must gain the approval of the General Assembly again during the 2007 session or 2008 session and then appear as a question on the 2008 general election ballot for public approval.

Hoosiers ultimately should have the final say when it comes to this issue. Last November, voters in 11 states approved similar amendments across the nation. Indiana legislators acted this year in order to place this decision in the hands of the people.

Property Tax Reform

A local income tax proposal could be the best solution

Property taxes have grown considerably for all classes of taxpayers over the last 20 years, and are an outdated mechanism for taxation in many regards. They are not levied on ability to pay. This creates particular problems for senior citizens living in long-held homes and who have a fixed income. It has created a burden on farmers and other businesses unrelated to income, and it is a drag on new home purchases by young families and new business investment.

This year, the Senate passed a plan to move local governments away from property taxes. After vocal opposition by some local officials, the House defeated the measure.

The plan would have required that counties, through the representative council of the cities, towns, counties, and school districts, would vote this summer on whether to plan their local budgets with this funding a more equitable income tax. Currently, local units of government are permitted to grow their budgets on a rolling six-year average of the increase in Non-Farm Personal Income, and to do this, they generally increase property taxes. The state does not increase property taxes.

Under the new plan, the controls on growth are retained, but local units are encouraged to use the income tax to fund it, instead of using the property tax. The proposal merely permits increases that can occur on property taxes to be moved to income taxes.

It is estimated by the Legislative Services Agency that most counties would start with a tax rate of less than 0.5 percent. That rate



could grow to 1 to 1.2 percent by 2011. How fast the rate actually grows in each county will be determined by the natural rate of income tax growth and the rate of spending growth in each county. Over that period, property taxes to fund operating expenses for schools and local government would not increase. The new income tax rate would have been capped at about 1.2 percent.

The program required a rainy day fund to be set aside to protect each school and civil unit of government against economic downturns. In addition, if units spend less than the full growth increase permitted, that money could be used in four ways: across the board property tax relief; in the rainy day fund; an additional local homestead credit; and an additional local property tax replacement credit.

Property taxes are an outdated mechanism for funding services.

did you know?

In Indiana, local governments and schools keep 99.9 percent of all property taxes collected.

Currently, one third of the state budget goes toward property tax relief, dedicating over \$3.7 billion a year.

Half of all revenue raised by the state sales tax is used for property tax replacement, as is 14 percent of the income tax and nearly a half billion dollars every year from the wagering tax from riverboats.

SEA 12 — The "Code Adam" program sets a protocol for lost or missing children in certain state buildings. This initiative, on a smaller scale, is similar to the popular and successful "Amber Alert" program. **PASSED. My vote: YES**

HEA 1501 — This bill establishes the position of inspector general, an employee of the governor, who works to weed out corruption. Years of scandal in previous administrations cost the state at least \$25 million; we may never know the full extent of misspending. **PASSED. My vote: YES**

2005 Brings Good News to the Ag Industry

Legislature Creates Agriculture Dept.

Sen. Jackman Co-Authors Landmark Legislation

Agriculture is one of the largest and most important industries in Indiana. As one of the nation's leaders in a vast array of agricultural areas, it would probably come as a surprise to most Hoosiers that, prior to this legislative session, our state had no official Department of Agriculture.

Indiana was one of only four states that operated without an official Department of Agriculture. The other three — Alaska, Arkansas, and Rhode Island — come as little surprise, but our state ranks second in the nation in the amount of prime farmland, and a one-stop entity that would handle all of our agriculture issues would greatly benefit this industry.

House Enrolled Act 1008, which I co-sponsored, created the official Indiana Department of Agriculture and consolidates duties that were once scattered across numerous agencies.

The move costs Indiana taxpayers no additional money. In fact, I hope it actually saves money by merging the 10 separate agriculture boards and commissions into one large department.

The bill also changes who serves as the chief advocate for the agriculture community. Previously, the lieutenant governor automatically served as the state's top agriculture official. While most lieutenant governors, including current Lt. Gov. Becky Skillman, have performed admirably in that position, some have not had the expertise



ABOVE: Sen. Bob Jackman addresses the Indiana State Senate. Jackman was a co-author and a key player in passing the bill that creates the new Department of Agriculture.

needed to carry out such important responsibilities. The passage of this bill allows the governor to appoint a Commissioner of Agriculture, which will allow the governor to choose the most qualified person to handle the state's agricultural dealings.

Indiana is one of the nation's top agriculture states. This new law will enable us to take full economic advantage of one of our state's traditional strengths.

DID YOU KNOW?
indiana is one of the nation's top agriculture states, ranking #1 in ducks; #2 in popcorn, ice cream and tomatoes; #4 in soybeans; #5 in corn and hogs, and the list goes on.

BIOFUELS: Good for the Environment and the Economy

Two significant clean energy initiatives have become law.

House Enrolled Act 1032 requires state government to fuel state vehicles with agriculture-based fuels, such as biodiesel, ethanol, or gasohol, whenever possible. Biodiesel is a clean burning alternative fuel, produced from domestic, renewable resources such as soybeans. Biodiesel contains no petroleum, but it can be blended at any level with petroleum diesel. This helps improve air quality and our economy by taking advantage of resources from right here in Indiana.

Senate Enrolled Act 378 will expand the tax incentives passed during the 2003 legislative session on the production and use of Indiana soy diesel and ethanol fuels and provide additional incentives for clean coal gasi-

fication plants. This bill covers all facets of processing — from soybean crushers to oil refineries to the service stations that will supply the fuel — while growing the demand for agricultural commodities and increasing farmers' profits. Ethanol production plants cost around \$79 million to build and don't receive these tax breaks until they are making a profit in our state.

SEA 378 provides an additional \$5 million for bio-diesel production, which will be divided into \$1 million sections for the refineries, wholesale, blenders, and service stations that carry the fuel. The bill also expands the tax credit from \$10 million to \$20 million for large ethanol and soy diesel production plants. This will provide a great opportunity for both soy diesel and ethanol plants.

Additionally, SEA 378 provides tax credits for companies who build and operate integrated coal gasification power plants in Indiana. Coal gasification is the process of using Indiana's high sulfur-coal and transforming it into clean-burning energy.

Our state's use of coal has not kept up with our production. Since 1987, coal consumption in Indiana has increased by 30 percent, while Indiana's coal production has increased by only 3 percent. Over half of the coal used to generate electricity is imported into Indiana. If Indiana coal were to replace imported coal, it would add \$1.35 billion and 18,000 jobs to our state's economy.

With rising gas prices and pollution, this source of energy has great potential. The fuel is cheaper and better for our environment. The economic possibilities are fantastic.

SEA 223 — This bill allows a person to have his or her blood type printed on a license, permit, or identification card. This could help in emergency situations, as health care providers would be able to determine a person's blood type without having to run tests. **PASSED. My vote: YES**

SEA 304 — The role of National Guard members deserves special recognition due to their increased responsibilities. This bill exempts spouses and children of National Guard members killed in state active duty from paying tuition at any state educational institution. **PASSED. My vote: YES**